

REMARKS

Claims 1, 3 and 15 have been amended. Claims 2 and 18 have been canceled. Thus, claims 1, 3-17 and 19-32 are pending and in the application and stand rejected by the Examiner.

Rejections Under 35 U.S.C. § 101

The Office Action rejects claims 1-14 under 35 U.S.C. § 101 on the ground that “the claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. § 101.

Applicant submits that claims 1-14 include the necessary physical articles or objects to constitute a machine or manufacture within the meaning of 35 U.S.C. § 101. Specifically, claim 1 recites a processor, which is clearly a physical article. Further, claim 1 also recites an information model, which inherently requires some form of hardware for storage of their contents. For instance, such hardware may include a hard drive, a memory, or an optical disc, to name a few. The specification and drawings support this conclusion. For example, FIG. 2 illustrates an information model 220 that is stored inside storage 232. Paragraph 0047 further describes this relationship. Thus, the explicit inclusion of a processor and the inherent inclusion of some form of storage device make claims 1-14 a machine under 35 U.S.C. § 101.

Withdrawal of the rejections, under § 101, of claims 1-14 is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,539,425 to Stevens, et al. (hereinafter “Stevens”).

A. Independent Claims 1, 15 and 24 are patentable under 35 U.S.C. § 102(e) over Stevens

As amended, claim 1 recites the limitation, “a common translation layer configured to enable a plurality of services to communicate using at least said first and second levels of abstraction, said common translation layer being configured to translate said first level of abstraction for said network resource to said second level of abstraction.” This limitation of claim 1 is not disclosed by Stevens. The Office action cites to col. 6, lines 56-67 as support. *See Office action*, pg. 4, para. 2. This portion of Stevens discloses the use of a series of individual message interpreters to interpret different protocols associated with input messages communicated between a data access client module (“DACM”) and a standard schema interface. Example protocols used in input messages include LDAP, RADIUS/DIAMETER, SNMP, and COPS. As such, a separate message interpreter exists for each type of protocol that may be associated with an input message. Based on the above examples, there is a message interpreter for at least LDAP messages, RADIUS/DIAMETER messages, SNMP messages, and COPS messages. *See Stevens*, col. 6, lines 36-67. Hence, a distinct message interpreter is needed for each type of input message. As such, individual message interpreters for each type of message protocol is not the same as “a common translation layer configured to enable a plurality of services to communicate using at least the first and second levels of abstraction.” Specifically, Steven’s message interpreters are completely silent on “enabl[ing] a plurality of services to communicate using at least the first and second levels of abstraction.”

Additionally, a protocol associated with an input message is not the same as a “level of abstraction for said network resource,” wherein a “level of abstraction” is described as a “representation of information describing said network resource.” In contrast, a protocol in the context of computing networks can be defined as the rules governing the syntax, semantics, and

synchronization of communication of information between network devices. Further, the protocols disclosed in Stevens are not associated with a “network resource,” but rather with an input message.

Lastly, each of the message interpreters described in Stevens merely interprets the contents of a message such that the standard schema interface can understand the message. In other words, the interpreters do not translate the message from one level of abstraction to another level of abstraction. Hence, Stevens fails to disclose this limitation of claim. Therefore, claim 1 is patentable under 35 U.S.C. § 102(e) over Stevens.

As amended, independent claim 15 recites the limitation, “translating said input associated with said first representation of information into said second representation of information to implement said network resource for provisioning said service.” As stated above, Stevens fails to disclose “a common translation layer configured to enable a plurality of services to communicate using at least said first and second levels of abstraction, said common translation layer being configured to translate said first level of abstraction for said network resource to said second level of abstraction,” wherein a level of abstraction is a “representation of information describing said network resource.” As such, translating a first level of abstraction for a network resource to a second level of abstraction is substantially similar to “translating said input associated with said first representation of information into said second representation of information.” Hence, Steven fails to disclose this limitation of claim 15. Therefore, claim 15 is patentable under 35 U.S.C. § 102(e) over Stevens.

Independent claim 24 recites the limitation, “organizing said physical and logical characteristics as a tuple.” This limitation of claim 24 is not disclosed by Stevens. The Office action states that “claims 15-31 list all the same elements as in claims 1-14 and are therefore

rejected using the same rationale as in claims 1-14.” See *Office action*, pg. 6, bottom para.

Claims 1-14 do not discuss a tuple. Therefore, claims 1-14 do not describe all the elements of claim 24. As such, the Office action fails to describe how Stevens discloses “organizing said physical and logical characteristics as a tuple.” Stevens is completely silent on a tuple in any capacity, as the term is not disclosed anywhere in the specification or claims. Hence, Stevens fails to disclose this limitation of claim 24. Therefore, claim 24 is patentable under 35 U.S.C. § 102(e) over Stevens.

B. Dependent Claims 3-14, 16-17, 19-23, and 25-31 are patentable under 35 U.S.C. § 102(e) over Stevens

Dependent claims 3-14, 16-17, 19-23, and 25-31 are also patentable under 35 U.S.C. § 102(e) over Stevens at least by virtue of their depending from allowable independent claims 1, 15, and 24, respectively.

Rejections Under 35 U.S.C. § 103

Claim 32 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Stevens as applied to claims 1-31 above, and in view of Niazi, et al. (U.S. Publication 2002/0013791 A1).

C. Dependent claim 32 is patentable under 35 U.S.C. § 103(a) over Stevens and Niazi

Dependent claim 32 depends upon and includes the limitations of independent claim 24. As stated above in regards to claim 24, Stevens fails to teach or suggest “organizing said physical and logical characteristics as a tuple.” Niazi also does not teach or suggest “organizing said physical and logical characteristics as a tuple.” Therefore, the combination of Stevens and Niazi fails to disclose all of the limitations of independent claim 24. Therefore, dependent claim 32 is patentable under 35 U.S.C. § 103(a) at least by virtue of its depending from allowable claim 24.

CONCLUSION

In view of the foregoing, Applicant respectfully submits that no further impediments exist to the allowance of this application and, therefore, requests an indication of allowability. However, the Examiner is requested to call the undersigned if any questions or comments arise.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

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